

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JORGE and IMME KLEBE,

Plaintiffs,

vs.

TRI MUNICIPAL SEWER COMMISSION,

Defendant.

Index No. 07-CIV-7071 (KMK)
(Karas, J.)
(Smith, M.J.)

NOTICE OF MOTION FOR
SUMMARY JUDGMENT

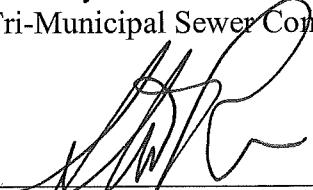
PLEASE TAKE NOTICE that, upon the Affidavit of Steven C. Russo, sworn to April 3, 2008, and the exhibits annexed thereto; and the accompanying Memorandum of Law, Tri-Municipal Sewer Commission, hereby moves this Court on the 7th day of May, for an Order granting summary judgment against Plaintiff pursuant to Fed. R. Civ. P. 56(b), and such other and further relief as this Court may deem just and proper.

Pursuant to Judge Kenneth M. Karas' March 19, 2008 order, Plaintiffs shall serve opposition papers on Movant on or before April 17, 2008. Furthermore, Movant shall serve reply papers on Plaintiffs on or before April 25, 2008.

Dated: New York, New York
April 3, 2008

SIVE, PAGET & RIESEL, P.C.
Attorneys for defendant
Tri-Municipal Sewer Commission

By:


STEVEN C. RUSSO (SR-7689)
460 Park Avenue
New York, New York 10022

(212) 421-2150

To: Michael H. Sussman, Esq.
Sussman & Watkins
P.O. Box 1005
Goshen, New York 10924
(845) 294-3991